

REMARKS

[0003] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-36 are presently pending. Claims 1, 7, 12, 21, and 31 are amended herein. No claims are withdrawn, cancelled, or added herein.

Statement of Substance of Interview

[0004] The Examiner graciously talked with me—the undersigned representative for the Applicant—on 12/02/08. Applicant greatly appreciates the Examiner’s willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

[0005] During the interview, I discussed how the claims differed from the cited references, namely Rathbone and Hilbert. Without conceding the propriety of the rejections and in the interest of expediting prosecution, I also discussed several possible clarifying amendments.

[0006] The Examiner was receptive to the amendments, specifically the clarification regarding persistently displaying the user identifiable indicator on the desktop page. I understood the Examiner to agree that this amendment would distinguish the claims over the cited references. The Examiner requested that the amendments be presented in writing.

[0007] Applicant herein amends the claims in the manner discussed during the interview. Accordingly, Applicant submits that the pending claims are allowable over the cited references for at least the reasons discussed during the interview.

Formal Request for an Interview

[0008] If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0009] Please contact me to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for me, I welcome your call as well. My contact information may be found on the last page of this response.

Allowable Subject Matter

[0010] Applicant would like to thank the Examiner for acknowledging that dependent claims 4 and 5 recite subject matter that would be allowable over the cited art of record if re-written into independent form. Applicant appreciates same. However, herein Applicant points to various aspects of the record to demonstrate further that the base claim from which these depend is also allowable.

FORMAL MATTERS

[0011] This section addresses any formal matters (e.g., objections) raised by the Examiner.

Claims

[0012] The Examiner objects to claims 4 and 5 for being dependent from a rejected base claim, but indicates they would be allowable if rewritten into independent form. Herein, Applicant points to various aspects of the record to demonstrate that the base claim, from which these claims depend, is also allowable thereby rendering this objection moot.

SUBSTANTIVE MATTERS

Claim Rejections under § 112 2nd ¶

[0013] Claim 1 is rejected under 35 U.S.C. § 112, 2nd ¶. Applicant respectfully traverses this rejection. Furthermore, in light of the amendments presented herein and the agreements reached during the interview of 12/02/08, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw these rejections.

Claim Rejections under § 103

[0014] Claims 1-3 and 6-36 are rejected under 35 U.S.C. § 103. In light of the amendments presented herein and the decisions and agreements reached during the above-discussed Examiner interview, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw these rejections.

[0015] Accordingly, Applicant respectfully requests that the § 103 rejections be withdrawn and the case be passed along to issuance.

[0016] The Examiner's rejections are based upon the following references alone in combination:

- **Rathbone:** *Rathbone, Windows XP for Dummies, 2001, Published by Hungry Minds, Inc.;* and

- **Hilbert:** *Hilbert, et al.*, US Patent Publication No. 2003/0088570
(Published May 8, 2003).

OBVIOUSNESS REJECTIONS

[0017] Applicant disagrees with the Examiner's obviousness rejections. Arguments presented herein point to various aspects of the record to demonstrate that not all of the criteria set forth for making a prima facie case have been met.

Based upon Rathbone and Hilbert

[0018] The Examiner rejects claims 1-3 and 6-36 under 35 U.S.C. § 103(a) as being unpatentable over Rathbone in view of Hilbert. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

Independent Claim 1

[0019] Without conceding the propriety of the combination of cited art, Applicant submits that the combination of Rathbone and Hilbert does not teach or suggest at least the following features as recited in claim 1 (with emphasis added):

- "a desktop page configured to display in response to a selectable logon control being selected, the desktop page further configured to display user selectable controls in one or more regions of the desktop page ***and persistently display the user identifiable indicator corresponding to the selectable logon control'***

[0020] During the interview of 12/02/08, I understood the Examiner to agree that the amendment made to claim 1 would distinguish it over the cited references.

[0021] Accordingly, Applicant requests that the Examiner withdraw the rejection of this claim.

Dependent Claims 2-3 and 6

[0022] These claims ultimately depend upon independent claim 1. As discussed above, claim 1 is allowable. It is axiomatic that any dependent claim, which depends from an allowable base claim, is also allowable.

Independent Claim 7

[0023] Without conceding the propriety of the combination of cited art, Applicant submits that the combination of Rathbone and Hilbert does not teach or suggest at least the following features as recited in claim 7 (with emphasis added):

- "displaying a desktop page in response to a selectable logon control being selected, the user interface desktop page including user selectable controls in one or more regions of the desktop page and ***including persistent display of the user identifiable indicator corresponding to the selectable logon control'***

[0024] During the interview of 12/02/08, I understood the Examiner to agree that the amendment made to claim 7 would distinguish it over the cited references.

[0025] Accordingly, Applicant requests that the Examiner withdraw the rejection of this claim.

Dependent Claims 8-11

[0026] These claims ultimately depend upon independent claim 7. As discussed above, claim 7 is allowable. It is axiomatic that any dependent claim, which depends from an allowable base claim, is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent Claim 12

[0027] Without conceding the propriety of the combination of cited art, Applicant submits that the combination of Rathbone and Hilbert does not teach or suggest at least the following features as recited in claim 12 (with emphasis added):

- "a desktop page configured to display user selectable controls in one or more regions of the desktop page and **persistently display the user**

identifiable indicator corresponding to a selected one of the one or more selectable logon controls'

[0028] During the interview of 12/02/08, I understood the Examiner to agree that the amendment made to claim 12 would distinguish it over the cited references.

[0029] Accordingly, Applicant requests that the Examiner withdraw the rejection of this claim.

Dependent Claims 13-20

[0030] These claims ultimately depend upon independent claim 12. As discussed above, claim 12 is allowable. It is axiomatic that any dependent claim, which depends from an allowable base claim, is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent Claim 21

[0031] Without conceding the propriety of the combination of cited art, Applicant submits that the combination of Rathbone and Hilbert does not teach or suggest at least the following features as recited in claim 21 (with emphasis added):

- “displaying a desktop page that includes user selectable controls in one or more regions of the desktop page and ***that includes persistent display of the user identifiable indicator corresponding to a selected one of the one or more selectable logon controls***”

[0032] During the interview of 12/02/08, I understood the Examiner to agree that the amendment made to claim 21 would distinguish it over the cited references.

[0033] Accordingly, Applicant requests that the Examiner withdraw the rejection of this claim.

Dependent Claims 22-30

[0034] These claims ultimately depend upon independent claim 21. As discussed above, claim 21 is allowable. It is axiomatic that any dependent claim, which depends from an allowable base claim, is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent Claim 31

[0035] Without conceding the propriety of the combination of cited art, Applicant submits that the combination of Rathbone and Hilbert does not teach

or suggest at least the following features as recited in claim 31 (with emphasis added):

- “***display the desktop page to include persistent display of the user-identifiable indicator corresponding the selectable logon control*** and to include the one or more user selectable controls and additional user-selectable controls displayed in the one or more regions of the desktop page”

[0036] During the interview of 12/02/08, I understood the Examiner to agree that the amendment made to claim 31 would distinguish it over the cited references.

[0037] Accordingly, Applicant requests that the Examiner withdraw the rejection of this claim.

Dependent Claims 32-36

[0038] These claims ultimately depend upon independent claim 31. As discussed above, claim 31 is allowable. It is axiomatic that any dependent claim, which depends from an allowable base claim, is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Dependent Claims

[0039] In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

Conclusion

[0040] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call or email me at your convenience.

Respectfully Submitted,

Lee & Hayes, PLLC
Representatives for Applicant

_____/Randall T. Palmer 61,440/____

Dated: 12/22/08

Randall T. Palmer (randy@leehayes.com; x4761)

Registration No. 61,440

Robert Peck (robp@leehayes.com; 425.677.5750)

Registration No. 56,826

Customer No. **22801**

Telephone: (509) 324-9256

Facsimile: (509) 323-8979

www.leehayes.com